

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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|--|---|--------------------------------------|
| <b>LORA L. LEESE,</b>                  | : | <b>CIVIL ACTION NO. 1:17-CV-1634</b> |
|  | : |                                      |
| <b>Plaintiff</b>                       | : | <b>(Chief Judge Conner)</b>          |
|  | : |                                      |
| <b>v.</b>                              | : |                                      |
|  | : |                                      |
| <b>NANCY A. BERRYHILL,<sup>1</sup></b> | : |                                      |
|  | : |                                      |
| <b>Defendant</b>                       | : |                                      |

**ORDER**

AND NOW, this 13th day of September, 2018, upon consideration of the report (Doc. 16) of Magistrate Judge Karoline Mehalchick, recommending the court deny the appeal of Lora L. Leese (“Leese”) from the decision of the administrative law judge denying her application for a period of disability and disability insurance benefits, and the court noting that Leese filed objections (Doc. 17) to the report, see FED. R. CIV. P. 72(b), and the Commissioner of Social Security (“Commissioner”) filed a response (Doc. 18) thereto, and following *de novo* review of the contested portions of the report, see Behar v. Pa. Dep’t of Transp., 791 F. Supp. 2d 383, 389 (M.D. Pa. 2011) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(C)), and applying a clear error standard of review to the uncontested portions, see Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa. 1999), the court being in agreement with Judge Mehalchick that the administrative law

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<sup>1</sup> Due to the Federal Vacancies Reform Act, 5 U.S.C. § 3345 *et seq.*, former acting Commissioner of Social Security Nancy A. Berryhill is currently presiding as the Deputy Commissioner for Operations of the Social Security Administration. For consistency purposes, however, we continue to refer to Ms. Berryhill as “the Commissioner.”

judge's decision "is supported by substantial evidence," 42 U.S.C. § 405(g); Fagnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001), and finding Judge Mehalchick's analysis to be thorough, well-reasoned, and fully supported by the record, and further finding Leese's objections to be without merit and squarely addressed by the report, it is hereby ORDERED that:

1. The report (Doc. 16) of Magistrate Judge Mehalchick is ADOPTED.
2. The Commissioner's decision denying Leese's application for a period of disability and disability insurance benefits is AFFIRMED.
3. The Clerk of Court shall enter judgment in favor of the Commissioner and against Leese as set forth in paragraph 2.
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania